

IN THE UNITED STATES DISTRICT COURT OF
THE WESTERN DISTRICT OF MISSOURI, WESTERN DIVISION

CLAUDIA ALCANTARA,	§	
	§	
and	§	
	§	
JULIO QUEZADA	§	
	§	
Plaintiffs,	§	
	§	
v.	§	Case No.
	§	
WESTPORT TODAY OF KANSAS CITY,	§	
LLC	§	
	§	
and	§	
	§	
JOHN A. KRUGH REALTY, LLC	§	
	§	
and	§	
	§	
ALEXANDER G. KRUGH	§	
	§	
Defendants.	§	

NOTICE OF REMOVAL BY DEFENDANTS

Defendants Westport Today of Kansas City, LLC, John A. Krugh Realty, LLC, and Alexander G. Krugh, pursuant to 28 U.S.C. § 1332, 1441 and 1446, file this Notice of Removal to remove this action from the Circuit Court of Jackson County, Missouri (the “State Court”) where it is currently pending, to the United States District Court for the Western District of Missouri, Western Division.

This Court has original subject matter jurisdiction under 29 U.S.C. § 1332(a)(1), because there is complete diversity. Per Plaintiffs’ Petition for Damages, Plaintiffs allege they are residents of the State of Kansas, all Defendants are residents of Missouri, and, on information and belief, Plaintiffs seek damages in excess of \$1,000.000,00.

This Notice of Removal is timely because fewer than 30 days have passed since Defendants were served with a copy of Plaintiffs' Petition in the State Court lawsuit.

Pursuant to 28 U.S.C. § 1446(a), copies of all Process, Pleadings and Orders and other documents presently filed with the State Court are attached hereto as Exhibit "A", consisting of:

- Plaintiff's Petition for Damages, *filed 08/26/2022*
- Motion for Approval and Appointment of Special Process Server, *filed 08/26/2022*
- Summons (Alexander Krugh), *issued 09/02/2022*
- Summons (John A Krugh Realty, LCC), *issued 09/02/2022*
- Summons (Westport Today), *issued 09/02/2022*
- Order for Process Server, *filed 09/02/2022*
- Notice of Case Management Conference for Civil Case and Order for Mediation, *filed 09/02/2022*
- Return of Service (Alexander Krugh), *filed 09/19/2022*

The United States District Court for the Western District of Missouri, Western Division, encompasses the Circuit Court of Jackson County, Missouri, at Kansas City, and thus is the proper forum for this action for purposes of removal pursuant to 28 U.S.C. § 1441(a).

Pursuant to 28 U.S.C. §1446(d), a copy of this Notice of Removal is contemporaneously being filed with the Circuit Court of Jackson County, Missouri, at Kansas City.

Pursuant to 28 U.S.C. § 1446(d), this filing divests the State Court of jurisdiction over Case No. 2216-CV19831.

Plaintiffs are represented by the following counsel: Emmalee M. Terry and Matthew E. Terry, 618 SE 4th Street, Lee's Summit, MO 64063. A true and correct copy of the Notice of Removal is being served on Plaintiff's counsel in conjunction with this filing.

Dated this 12th day of October, 2022

ADAM & McGREVEY, P.A.

By: /s/ Sean T. McGrevey
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WESTPORT TODAY OF KANSAS CITY, LLC.
JOHN A. KRUGH REALTY, LLC, AND
ALEXANDER G. KRUGH

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of October 2022, I electronically filed the foregoing document with the U.S. District Court in the Western District of Missouri electronic filing system, I electronically filed the foregoing document with the Jackson County Circuit Court electronic filing system, which will send a notice of electronic filing to counsel of record set forth below, and I emailed an electronic copy of this Notice of Removal to:

MILLER & TERRY ATTORNEYS AT LAW

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ATTORNEYS FOR PLAINTIFF

/s/ Sean T. McGrevey
Attorney